

## Changes to the 1998 Vendors Manual – Web site

The 1998 Vendors Manual is on the DGS/DPS web site ([www.dgs.state.va.us](http://www.dgs.state.va.us) under Manuals) and eVA web sites ([www.eva.state.va.us](http://www.eva.state.va.us) under Vendors – Resources. All *Code of Virginia* cites have been changed to reflect the new Code cites effective 10-1-01.

Changes effective 7/1/03 and earlier, have been incorporated into the web-based 1998 Vendors Manual. Future changes will be shown on this listing and will be incorporated into the Vendors Manual, as they become effective.

Date	Section	Summary of Changes	Pen & Ink Changes OR Replacement Pages as Indicated
VM 5/25/99	5.4 Page 5-2	Last sentence of 5.4 uses the word “solicitation” when the word should be “contract.”	Change the word “solicitation” to “contract” in the last sentence of 5.4.
VM 5/25/99	9.1 Page 9-1	9.1c is referenced for Conflict of Interest in the APSPM & VM Index Make the reference 9.1b	In the Index under “Conflict of Interest,” change the reference under the Vendors Manual column from 9.1c to 9.1b.
VM 12/21/99	7.23 Page 7-7	A contractor may invoke administrative procedures within 10 days, not 30 days, of receipt of a notice of ineligibility.	Change the word “thirty” to the word “ten” in the third sentence of paragraph 7.23 on page 7-7.
VM 3/28/00	3.4 Page 3-2	3.6b provides information about when vendors provide assistance with specification development for a fee. Adding sentences to 3.4 will provide information to vendors about when assistance is provided without a fee.	Add these two sentences at the end of 3.4: “A vendor may offer, without compensation, assistance to agency personnel in developing specifications for a requirement and compete on that requirement. A purchasing office may provide the specifications to competing vendors for comment before issuing the solicitation (see 3.6b).”
VM 3/28/00	3.6 Page 3-2	New section 3.6 is consistent with the language in the <i>Agency Procurement and Surplus Property Manual (APSPM)</i> concerning Prohibited Participation by vendors. The last sentence in section 5.11 is now included in 3.6c.	Replace section 3.6 in its entirety (new language attached shown as VM, 3/28/00).  Eliminate the last sentence in section 5.11.
VM 3/30/00	6.2 Page 6-2	Change the Vendors Manual language to be consistent with the APSPM language concerning	Change the first sentence in the Vendors Manual 6.2 to read, “Bids are good for a minimum of

		Acceptance Period for bids.	30 days unless a longer period of time is specified in the solicitation or in the bid response.”
VM 7/1/00	Through-out VM	Single quote limit was changed to \$5,000	Change references to \$2,000 to \$5,000
VM 12/6/00	General Terms & Conditions	Two new general terms were added on 7/1/00: U. Announcement of Award V. Drug-free Workplace	General terms and conditions are attached and are shown as VM, 7/1/00. Replace pages B-3 through B-10 with new pages B-3 through B-8.
VM 12/20/00	9.7a	Appeals Board Chairman’s Authority to decide timeliness of protest.	Add the words in <b>bold</b> after the third sentence in section 9.7 a - <b>The chairman of the Board shall make all decisions regarding the timeliness of the filing and receipt of any appeals to the Board. All decisions regarding the timeliness of the filing and receipt of any appeals to the Board shall be final and not subject to further appeal.</b>
VM 7/1/01	7.23 See Paragraph 9.3.	Debarment Notification and Procedure. 7.23 mentions what is already in 9.3 and can only be properly understood within the context of 9.3.	Eliminate wording in 7.23 and refer the reader to 9.3.
VM 7/1/01	7.17 Page 7-4	Effective 7/1/00: The contract modification restriction was changed from \$10,000 to \$50,000 or 25% of the original amount of the contract....	In the third sentence of 7.17, change the amount \$10,000 to \$50,000.
VM 7/1/01	1.8 a	Effective 7/1/01: A change was made to the Code of Virginia concerning preference to VA products and firms.	Delete the first sentence in 1.8 a. Virginia Vendors and replace it with the following: Preference is given to materials, equipment and supplies produced in Virginia, goods, or services or construction provided by Virginia persons, firms or corporations in the event of a tie bid (see 6.5).
VM 7/1/01	General Terms & Conditions	Effective 7/1/01: The Anti-Discrimination clause has been modified to include language to	Replacement wording in revised Appendix B attached.

	Appendix B Clause C	include Faith-based organizations. Wording correction.	
VM 7/1/01	General Terms & Conditions Appendix B Clause T	Delete requirement that the Commonwealth be added as an additional named insured under Worker's Compensation Insurance.	Replacement wording in revised Appendix B is attached.
VM 7/1/01	General Terms & Conditions Appendix B Clause T	Change required in Insurance clause showing new malpractice insurance limit effective 7/1/01.	Under the Profession/Service portion of the Insurance clause, the limits under Health Care Practitioner were increased to \$1,600,000 (effective 7/1/01). Correct limits in revised Appendix B attached.
VM 7/1/01	General Terms & Conditions Appendix B Clause V	Change the second paragraph of the Drug-Free Workplace clause. Wording refers to the chapter of Code where the <i>VPPA</i> resides; it is not part of the General term and condition.	Eliminate the words, "in accordance with this chapter," in the first sentence of the second paragraph under the Drug-Free Workplace clause.
VM 7/1/01	General Terms & Conditions Appendix B Clause W	A new general term was added: 7/1/01: W. Nondiscrimination of Contractors	Add new General Term and Condition on page B-9 attached.
VM 10/9/01	Appendix B, Section I, Clause C 1a	Effective 10/9/01: The Anti-Discrimination clause has been modified to include language to include Faith-based organizations. Wording correction.	Replacement wording in revised Appendix B attached.
VM 10/9/01	General Terms & Conditions Appendix B Clause X	A new general term was added: 10/9/01: X. eVA Business-to-Government Vendor Registration	Add new General Term and Condition on page B-9 attached.
VM 2/14/02	General Terms & Conditions Appendix B Clause X	The language of General Term X. eVA Business-to-Government Vendor Registration has been modified.	Modified language in General Term X. is attached.
VM 2/14/02	Index	The Virginia Public Procurement Act (VPPA) was recodified effective 10/1/01. All references to Chapter 11 of the <i>Code of</i>	Insert the Virginia Public Procurement Act (VPPA) Recodification Cross-Reference Chart as the last page of the

		Virginia have been changed to Chapter 43.	Index.
<b>Changes effective 7/1/02 and earlier, have been incorporated into the web-based 1998 Vendors Manual. Future changes will be shown on this listing and will be incorporated into the Vendors Manual, as they become effective.</b>			
7/1/02	1.1 b & c, 1.4, 1.5, 1.6	Authority and Responsibility is revised to show that the authority for purchase of information technology goods and services, ADP equipment, software and hardware, telecommunications equipment and services is changed from DGS/DPS to the Department of Information Technology (DIT).	
7/1/02	1.2 i	A statutory exemption is granted for VCE to make purchases for supplies, materials and services for use in its production facilities.	
7/1/02	1.8 e & f Preferences	Two new sections on preferences are added to address e. – Recycled Oil and Recycled Antifreeze and f. – Use of Recycled Goods or Products.	
7/1/02	2.3, 2.4, 2.6, 2.7, 2.8	Requirements over \$30,000 will be publicly posted on the DGS/DPS eVA web site at <a href="http://www.eva.state.va.us">www.eva.state.va.us</a> .	
7/1/02	3.1, 3.2	Registration in eVA is required in order to do business with state agencies and institutions. Changes in registration information is the responsibility of the vendor.	
7/1/02	4.1, 4.2	The selection of bidders or offerors may be related to the type of Vendor registration in eVA selected. Solicitations over \$30,000 will be publicly posted and advertised on the Virginia Business Opportunities (VBO) on the eVA web site.	
7/1/02	4.5, 4.9	Unsealed bid/proposal solicitations and responses may be electronic.	
7/1/02	4.16	Solicitations over \$30,000 will be publicly posted and advertised on the Virginia Business Opportunities (VBO) on the eVA web site.	
7/1/02	5.4	General Term and Conditions are included and incorporated into Agency Purchase Orders (APO) and eVA Direct Orders (DO).	
7/1/02	6.3	Notice of Award of Intent to Award shall be posted on the DGS/DPS eVA web site and may be posted in other locations as indicated in the solicitation.	
7/1/02	6.5	Preference for Virginia Products or Firms in the case of a tie bid was modified according to changed language in the Code of Virginia.	
7/1/02	7.1	The term purchase orders, as used in the Vendors Manual, includes eVA direct orders (DO).	
7/1/02	7.8b	Printing Overrun prices quoted shall not exceed the base lot price quoted for the equivalent incremental quantity.	
7/1/02	7.9	Changes to a purchase order exceeding \$500 should be provided for by a change order.	

7/1/02	7.18	Termination for convenience claims will be considered for only actual expenses incurred up to the time of termination. Payment will be made for items shipped or services provided prior to receipt of the termination notice, unless otherwise specified in the contract.
7/1/02	7.22	Debarment for failure to pay reprourement costs shall be for a period of one year or until the reprourement costs are paid or until the contract breach is resolved, whichever is longer.
7/1/02	Appendix A	The definition of Best Value is included.
7/1/02	Appendix B	These terms and conditions are incorporated by reference in Agency Purchase Orders (APO or PO), eVA Direct Orders (DO), and eVA P-card Orders (PCO). They apply to purchases between the agency or institution and the contractor unless modified in writing on the face of the PO, DO, or PCO.
7/1/02	Appendix B, General Terms & Conditions, Clause A	Clause A, on the Vendors Manual, provides information on the Commonwealth's claims provision.
7/1/02	General Terms & Conditions Appendix B Clause T	Under the Profession/Service portion of the Insurance clause, the limits under Health Care Practitioner are increased to \$1,650,000 (effective 7/1/02).
7/1/02	Appendix B, General Terms & Conditions, Clause U	Clause U, on Announcement of Award, is modified to add eVA as the official public posting site.
7/1/02	Appendix B, General Terms & Conditions, Clause X	Clause X, eVA Business-to-Government Registration, is revised to include a provision allowing an increase in vendor prices relating to the 1% eVA transaction fee.
7/1/03	Introduction	References made throughout the <i>VendorsManual</i> to the Department of Information Technology (DIT) or the Department of Technology Planning (DTP) are no longer valid, effective 7/1/03. Vendors should follow the guidance issued for information technology procurements by the Virginia Information Technologies Agency (VITA).
7/1/03	2.3 b. & c.	Small Purchase Procedures have been revised to change the number of valid sources required to be solicited for small purchases between the single quotation limit and the dollar threshold of the competitive unsealed bidding procedure.

7/1/03	3.1	eVA registration requirements are revised. The point of contact for registration is <a href="mailto:eVAregisHelp@dgs.state.va.us">eVAregisHelp@dgs.state.va.us</a> . Vendors must be registered prior to responding electronically to an eProcurement solicitation valued over \$30,000.
7/1/03	3.12	A new section on Prohibited Contracts is added as a result of § 2.2-4321.1, which prohibits contracts with vendors who fail or refuse to collect and remit the tax on its sales to locations within the Commonwealth.
7/1/03	4.1	The selection of bidders/offers section is changed to incorporate eVA registration requirements.
7/1/03	5.4	Terms and Conditions and Instructions to Vendors included with the DGS/DPS Agency Purchase Order (APO) or incorporated by reference in the eVA Direct Order (DO) form are shown in Appendix B have been revised. See Appendix B.
7/1/03	6.3	Solicitation notices will be posted on the eVA website over \$30,000.
7/1/03	6.8	Award – add if contract then catalog in eVA: Contractors should send Catalog or Index Page information to <a href="mailto:eva-catalog-manager@dgs.state.va.us">eva-catalog-manager@dgs.state.va.us</a> .
7/1/03	7.16	Change orders are required for changes over \$500 or when a supplier requests a change order to ensure the supplier's eVA transaction fee is accurate.
7/1/03	Appendix A	Definitions have been added or modified for Affiliate, Business, Minority-Owned Business, Must/Shall, Shall/Must; Should/May, SWAM, Women-owned Business, Writing, writings, in writing, written.
7/1/03	Appendix B, Section I, T.	The Insurance General Term and Condition is revised to show the increased Health Care Practitioner limit effective 7/1/03. When Used guidance adds that Insurance is generally not required for goods purchases unless installation is required.
7/1/03	Appendix B, Section I, W.	The Nondiscrimination of Contractors General Term and Condition is rewritten to include nondiscrimination of ex-offenders.
7/1/03	Appendix B, Section I, X.	The eVA Business-to-Government Vendor Registration General Term is revised to reinstate the 1% vendor transaction fee, capped at \$500, for orders issued through eVA.
11/12/03	3.6 c	Multiple bids/proposals may be submitted on the same procurement. Section 3.6 c is changed to read: Submission of a subsequent bid/proposal, unless specifically identified as an amendment to a previously submitted bid/proposal, shall constitute an additional bid/proposal submitted by the same bidder or offeror on the same IFB/RFP. For information on amending or withdrawing bids/proposals, see Section 5.11.
<b>Changes to the 1998 Vendors Manual – August 2004</b>		
8/23/04	Introduction	Reference made throughout the <i>Vendors Manual</i> to the Department of Information Technology (DIT) or the Department of Technology Planning (DTP) are no longer valid, effective 7/1/03. Guidance for

		information technology procurements is issued by the Virginia Information Technologies Agency (VITA).
8/23/04	2.1	Small, Women-Owned & Minority Businesses language incorporated in <i>Vendors Manual</i> , to include new subsection “b” on vendor certification and section “c” prime contractor Small, Women and Minority-owned business (SWAM) procurement plan.
8/23/04	2.3a	Single quotation procedure changed to require soliciting a minimum of one minority or women-owned vendor.
8/23/04	2.3b	Deleted.
8/23/04	2.3c	Changed cite to 2.3b; reference to “proposal” is removed. Requires agencies to use Quick Quote for bid solicitations from \$5,000 to \$50,000.
8/23/04	2.3c	Added section dealing with “unsealed” proposals.
8/23/04	2.3d	Added section for “unsealed” best value acquisition.
8/23/04	2.4	Inserted SWAM language for sealed bids under \$100,000.
8/23/04	2.5	Inserted SWAM language for two-step & combined two-step sealed bids under \$100,000.
8/23/04	2.6	Inserted SWAM language for Request for Proposal (RFP) under \$100,000.
8/23/04	2.7	Added section for Best Value Acquisition (over \$50,000).
8/23/04	2.8	Former 2.7; changed award posting requirement on VBO to \$50,000.
8/23/04	2.9	Former 2.8; changed award posting requirement on VBO to \$50,000.
8/23/04	2.10	Former 2.9.
8/23/04	3.1	Obsolete language removed; additional eVA language inserted.
8/23/04	3.6c	Deleted subsection on additional bid/proposal from the same vendor.
8/23/04	3.13	Added a section on receipt of subsequent/additional bid/proposal for the same procurement.
8/23/04	4.1	Obsolete language limiting vendor participation removed.
8/23/04	4.2	Sentence regarding posting informal solicitations on eVA web site deleted.
8/23/04	4.5	Deleted reference to Informal Bids.
8/23/04	4.7	Deleted second sentence.
8/23/04	4.9	Deleted reference to Unsealed Bids.
8/23/04	4.16	Changed the Notice of Pending Procurements cite to reflect the \$50,000 advertising threshold.
8/23/04	5.4	Obsolete language removed.
8/23/04	6.1	Inserted SWAM language for sealed bids under \$100,000.
8/23/04	7.1	Obsolete language removed.
8/23/04	9.17	Added section incorporating Alternative Dispute Resolution (ADR) provisions to encourage agencies and vendors to resolve disputes informally prior to litigation.
8/23/04	Appendix A	Added definition for “Disadvantaged Business Enterprise.”
8/23/04	Appendix A	“Minority-Owned Business” definition revised.
8/23/04	Appendix A	Added definition for “Minority Individual.”
8/23/04	Appendix A	“Small Business Enterprise” definition revised.

8/23/04	Appendix A	“Woman-Owned Business” definition revised.
8/23/04	Appendix B, Section I	“Terms and Conditions & Instructions to Vendors” header statement updated to reference eVA PO only.
8/23/04	Appendix B, Section I	PO “Instructions to Vendors” Clause 17 regarding vendor Trading Partner Agreements revised.
8/23/04	Appendix B Section II, B	ADR language added to encourage agencies and vendors to resolve disputes informally prior to litigation.
8/23/04	Appendix B Section II, J	Added subsection 3 addressing certification of SWAM procurement plan by prime contractor prior to payment.
8/23/04	Appendix B Section II, K	Deleted first sentence regarding applicable clauses in general terms and conditions.
8/23/04	Appendix B Section II, T	Insurance requirements are updated to conform to standards provided by the Division of Risk Management.
8/23/04	Appendix B Section II, U	Changed advertising threshold on Virginia Business Opportunities (VBO) to \$50,000.
8/23/04	Appendix B Section II, W	Nondiscrimination language updated.
8/23/04	Appendix B Section II, X	eVA Business-to-Government Vendor Registration requirement updated.

<b>Changes to the Vendors Manual, October 2004</b>			
10/18/04	2.1 d	A new section is added in 2.1 to address procurement set-asides.	
10/18/04	2.3 b.	The first sentence of section 2.3 b. on Unsealed Bidding is modified to add, <i>Unless set-aside for Small businesses only (see 2.1d)</i> , solicit four (4) valid sources, including a minimum of two (2) minority or woman-owned businesses, if available. An additional sentence added to clarify that if the award is made to other than the lowest priced bidder under a remedial procurement plan, the award shall be made to the next lowest responsive and responsible minority or woman-owned bidder.	
10/18/04	2.3 c.	Section 2.3c on Unsealed Proposals is modified to add, <i>Unless set-aside for Small businesses only (see 2.1d)</i> , solicit four (4) sources, including a minimum of two (2) minority or woman-owned businesses, if available, by mail, fax, or electronically.	
10/18/04	2.3 d.	Section 2.3d on Unsealed Best Value Acquisition is modified to add, <i>Unless set-aside for Small businesses only (see 2.1d)</i> , solicit four (4) valid sources, including a minimum of two (2) minority or woman-owned businesses, if available, by mail, fax or electronically.	



10/18/04	2.4	Section 2.4 on Competitive Sealed Bidding sources is modified to add, <i>Unless set-aside for Small businesses only, solicit at least six (6) valid sources</i> , including a minimum of four (4) minority or woman-owned businesses, if available. An additional sentence is added to clarify that if the award is made to other than the lowest priced bidder under a remedial procurement plan, the award shall be made to the next lowest responsive and responsible minority or woman-owned bidder.
10/18/04	2.6	Section 2.6 on Competitive negotiation is modified to add, <i>Unless set-aside for Small businesses only</i> , for the purchase of major equipment, supplies or nonprofessional services estimated to be \$50,000 or more, RFPs shall be sent to at least six (6) valid sources including a minimum of four (4) minority or woman-owned businesses, if available.
10/18/04	2.7	Section 2.7 on Best Value Acquisition is modified to add, <i>Unless set-aside for Small businesses only</i> , solicit six (6) valid sources, including a minimum of four (4) minority or woman-owned businesses, if available, by mail, fax or electronically, and publicly post a copy of the solicitation on the DGS/DPS eVA web site <a href="http://www.eva.state.va.us">www.eva.state.va.us</a> .
10/18/04	4.1	A new sentence is added indicating that professional services procurements must be advertised over \$30,000.
10/18/04	6.1 a	An additional sentence is added to clarify that if the award is made to other than the lowest priced bidder under a remedial procurement plan, the award shall be made to the next lowest responsive and responsible minority or woman-owned bidder.
10/18/04	9.17	Section 9.17 on Alternative Dispute Resolution is replaced. It clarifies the use of ADR procedures for contractual disputes.
10/18/04	Appendix A	A definition for Set-asides is added to Appendix A.
10/18/04	Index	Set-asides is added to the Index.

If you should have questions about the changes noted, please contact: Nancy M. Davis at 804-786-0323, [ndavis@dgs.state.va.us](mailto:ndavis@dgs.state.va.us) or Steve Hudson, 804-225-3355 [shudson@dgs.state.va.us](mailto:shudson@dgs.state.va.us).